

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JEREMY DAVID THOMAS ALLEN,                          )  
    )  
Petitioner,    )  
    )  
vs.    )    Case No. CIV-09-1045-M  
    )  
JUSTIN JONES, Director,                              )  
    )  
Respondent.     )

**ORDER**

On November 17, 2009, United States Magistrate Judge Gary M. Purcell issued a Supplemental Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a Petition for a Writ of Habeas Corpus. The Magistrate Judge recommended that the Petition be dismissed in light of petitioner's failure to exhaust state court remedies for his claims. Petitioner was advised of his right to object to the Report and Recommendation by December 7, 2009, and a review of the court file reveals that no objection has been filed.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on November 17, 2009, and
- (2) DISMISSES this action for failure to exhaust state court remedies.

**IT IS SO ORDERED this 8<sup>th</sup> day of December, 2009.**



VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE